

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

v.

Case No. 10-00324-04/06/07/11/12-CR-W-DW

MARIO ALBERTO RAMIREZ-CORREA (04)
PABLO FIGUEREDO-CHAVIANO (06)
OSSEL VIDAL DE PRADA (07)
GUADALUPE CARLOS SANCHEZ (11)
CARLOS DELGADO PENA (12)

AUSA: Catherine Connelly
Defense Atty.: Travis Poindexter (04)
John Jenab (06)
Tony Miller (07)
Dana Altieri (11)
Cenobio Lozano, Jr. (12)

JUDGE	John T. Maughmer United States Magistrate Judge	DATE AND TIME	December 27, 2010 2:00pm - 3:15pm
DEPUTY CLERK	Kerry Martinez	TAPE/REPORTER	K. Martinez
INTERPRETER	Sara Gardner	PRETRIAL/PROB:	Emil "Van" Hecke and Angelique Johnson

CLERK'S MINUTES

DETENTION/ARRAIGNMENT

DETENTION HEARING: Parties appear in person and with counsel ready to proceed on government's motion for pretrial detention.

(x) Parties stipulate to factual contents of Pretrial Services Report as being the direct testimony of Pretrial Services Officers Tim Hair, Tanis Humig, Angelique Johnson, Emil "Van" Hecke and Susan Pinkerton.

(x) With exception(s) Counsel for the government advises the Court of inconsistencies in the pretrial services report as to Defendant Ossel Vidal De Prada regarding the arrest of the defendant and that when the defendant was arrested a weapon was found.

() Government presents evidence and calls witness(es) _____.

() Defendant presents evidence and calls witness(es) _____.

- ☒ Neither party presents evidence.
- ☒ Arguments presented by all parties.
- ☒ Defendants Pablo Figueredo-Chaviano and Ossel Vidal De Prad make a proffer.
- ☐ Court takes judicial notice of the statutory presumption against release.
- ☐ Other:_____.
- ☐ The Government orally moves to withdraw detention motion - GRANTED by the Court.

Based upon the information presented, the Court grants government's motion to detain and finds the following as to defendants **Mario Alberto Ramirez-Correa, Ossel Vidal De Prada, Guadalupe Carlos Sanchez, and Carlos Delgado Pena**:

- ☒ The Court found reason to believe that no condition or combination of conditions of release would reasonably assure:
 - ☒ The appearance of each of the defendant
 - ☒ As to defendant **Ossel Vidal De Prada** the safety of any other person or persons and the community. Each of these defendants are ordered DETAINED without bail.
 - ☒ Written Detention Orders to be forthcoming.
 - ☒ Each of these defendants are remanded to the custody of the U.S. Marshal.
- ☒ The Court made a finding that defendant **Pablo Figueredo-Chaviano** should be released from detention. Government's motion for pretrial detention is denied.
 - ☐ Defendant released on a personal recognizance bond.
 - ☐ Defendant released on a \$_____ unsecured surety bond.
 - ☒ Defendant **Figueredo-Chaviano** eligible for release on a \$ 25,000 with 10% cash (\$2,500) deposit bond.
 - ☒ Defendant **Figueredo-Chaviano** remanded to the custody of the U.S. Marshal until conditions are met.
 - ☒ Conditions of released reviewed with the defendant.
 - ☐ Defendant appears on a writ and is not eligible for bond at this time.

ARRAIGNMENT

- ☒ Defendant **Ramirez-Correa** charged in Count(s) One and Two of a Six Count indictment
- ☒ Defendant **Figueredo-Chaviano** charged in Count(s) One and Six of a Six Count indictment
- ☒ Defendant **Ossel Vidal De Prada** charged in Count(s) One of a Six Count indictment.
- ☒ Defendant **Guadalupe Carlos Sanchez** charged in Count(s) One of a Six Count indictment
- ☒ Defendant **Carlos Delgado Pena** charged in Count(s) One of a Six Count indictment
- ☒ Each defendant waived reading of the indictment.
- ☐ The count(s) of the indictment applicable to the defendant was read to the defendant.

- (x) Each defendant was informed of the maximum punishment for each applicable count of the indictment.
- (x) Each defendant entered a plea of not guilty to each count of the indictment applicable to him.

ORDERS

- (x) Defendants **Ramirez-Correz, De Prada, Sanchez, Pena** ordered committed back to custody of U.S. Marshal
- (x) Defendant **Figueredo-Chaviano** ordered released on a continuing bail bond when conditions of bond have been met.
- (x) Case ordered set for trial on the joint criminal jury trial docket which commences February 14, 2011.

- (x) Scheduling Conference set for **Monday, January 10, 2011, at 1:30 p.m. before U.S. Magistrate Judge John T. Maughmer.**